

Message Text

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62

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC IMMEDIATE 482

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E.O. 11652: N/A

TAGS: EFIN, EIND, ETEL, SCUL, CA

SUBJ: SENATE PASSES BILL C-58

REF: OTTAWA 2868

1. LATE THURSDAY NIGHT, JULY 14, SENATE RESPONDED TO INTENSE GOVERNMENT PRESSURE AND PASSED "ON DIVISION" (THAT IS, BY OTHER THAN UNANIMOUS CONSENT, BUT WITHOUT A RECORDED VOTE) BILL C-58 WITHOUT AMENDMENT. ONLY REMAINING PROCEDURAL STAGE IS FORMALITY OF ROYAL ASSENT. SENATE SOURCE HAS ADVISED TCO ASSENT CREMONY ON C-58 AND CAPITAL PUNISHMENT BILL ARE EXPECTED AFTERNOON OF JULY 16.

2. IN RECOMMENDING ADOPTION OF THE BILL CHAIRMAN HAYDEN ADVISED THAT HIS COMMITTEE HAD RECEIVED ADEQUATE "UNDERTAKING" FROM RESPONSIBLE MINISTERS TO ACCOMPLISH THE PURPOSES FOR WHICH THE COMMITTEE HAD ORIGINALLY PROPOSED AMENDMENTS. THESE UNDERTAKINGS WERE GIVEN ORALLY, BUT HAYDEN TOOK THE PRECAUTION OF INCLUDING IN FINAL COMMITTEE REPORT SIGNIFICANT EXCERPTS FROM WHAT MME. SAUVE AND OTHERS ACTUALLY SAID AND OF HAVING THAT REPORT PRINTED AS AN APPENDIX TO PUBLISHED SENATE DEBATES.

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3. UNDERTAKINGS INVOLVE COMMITMENT BY:

A) MME. SUAVE TO DELAY PROCLAMATION OF BROADCASTING PROVISIONS PENDING DETERMINATION THAT NEEDS OF ADVERTISERS ARE ADEQUATELY SATISFIED, NOT ONLY THOSE IN VANCOUVER BUT ALSO IN TORONTO. SUCH DETERMINATION WOULD BE BASED ON CONSIDERATION OF REPRESENTATIONS AND BRIEFS FROM INTERESTED PARTIES;

B) MME. SAUVE TO ESTABLISH A "COMMITTEE OR BODY OF PEOPLE", SEPARATE FROM THE INTERAGENCY GROUP DEALING WITH COMMERCIAL DELETION, TO DEAL WITH C-58 (AND PERHAPS OTHER BROADCASTING QUESTIONS) IN THE CONTEXT OF INTERNATIONAL RELATIONS WITH THE UNITED STATES. (NOTE: TERMS OF REFERENCE FOR THIS GROUP ARE NOT CLEAR FROM SAUVE REMARKS. HOWEVER, HAYDEN INTERPRETATION IN HIS REPORT TEXT SUGGESTS IT MAY DEAL WITH QUESTIONS NOT NOW AT ISSUE, BUT WHICH ARE LIKELY TO ARISE. PAY TV AND SATELLITE TRANSMISSION OF BROADCASTS APPEAR TO EMBASSY MOST LIKELY SUCH AREAS, BUT AT THIS MOMENT WE ARE NOT SURE);

C) REVENUE MINISTER CULLEN TO INTRODUCE LEGISLATION IN FALL OF 1976 TO DEFINE "NOT SUBSTANTIALLY THE SAME" IN TERMS OF EIGHTY PERCENT DIFFERENT FROM FOREIGN PUBLICATION;

D) SECRETARY OF STATE FAULKNER: (I) TO MEET WITH THE COMMITTEE IN THE FALL TO PROVIDE STATUS REPORT ON THE EFFECT OF THE LEGISLATION IN MEETING GOC PERIODICALS AND BROADCASTING OBJECTIVES; AND (II) TO CONSIDER TRANSMITTING TO REVENUE MINISTER INFO GIVEN HIM BY ADVERTISERS THAT WOULD WARRANT REMISSION OF TAXES UNDER SECTION 17 OF THE FINANCIAL ADMINISTRATION ACT. (NOTE: THIS UNDERTAKING WILL PROBABLY HAVE LITTLE PRACTICAL EFFECT, BUT IT IS INTENDED TO ATTEMPT TO MEET COMMITTEE CONCERNS ABOUT THE FUTURE OF THE U.S.-OWNED PUBLICATION M.D. OF CANADA).

4. NO CHANGE IN THE JANUARY 1, 1976 EFFECTIVE DATE FOR THE PERIODICALS SECTION OF C-58 WAS MADE, NOR UNCLASSIFIED

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WERE ANY UNDERTAKING REPORTED.

5. WE ARE FORWARDING TO EUR/CAN (BLAKEMORE), EB/TT/TD (ANDERSON) AND FCC (JOHNSON) COPIES OF JULY 14 SENATE DEBATES. DEBATE APPEARS AT PP. 2389 TO 2400 AND APPENDIX WITH COMMITTEE REPORT IS AT PP. 2401 TO 2405.

6. COMMENT: KVOS LOCAL ATTORNEY TOLD EMBOFFS JULY 14

HE IS ENCOURAGED BY NATURE OF UNDERTAKINGS AND OPTIMISTIC
THAT MME. SAUVE WILL REALLY EXERT HERSELF TO REACH
ACCOMMODATION WITH THE U.S. (COPY OF MEMCON
BEING FORWARDED TO OFFICIALS NAMED IN PRECEDING
PARAGRAPH).

7. U.S. PERIODICALS APPEAR TO HAVE GAINED LITTLE
FROM THE UNDERTAKINGS, BUT IN THE EMBASSY'S VIEW,
THE COMMITMENT TO DELAY WITH RESPECT TO PROCLAMATION
OF THE BROADCASTING SECTION IS ENCOURAGING. SAUVE
AGREEMENT O ESTABLISH NEW COMMITTEE MAY BE POWER PLAY
TO ESTABLISH PRIMACY OF HER DEPARTMENT OVER EXTAF IN
DEALING WITH BROADCASTING ISSUES AND EXTENDING
TRADITIONAL CHANNELS FOR DOC-FCC INFORMAL DISCUSSION
BEYOND TECHNICAL ASPECTS OF COMMUNICATIONS TO INCLUDE
ECONOMIC ISSUES.
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